

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

GREGORY COLBURN et al.,

Defendants

Case No. 1:19-cr-10080-NMG

ORAL ARGUMENT REQUESTED

**DEFENDANT JOHN WILSON'S MOTION IN LIMINE
TO EXCLUDE EVIDENCE POSTDATING RICK SINGER'S
COOPERATION WITH THE GOVERNMENT**

William "Rick" Singer started cooperating with the government on or about September 21, 2018, ending any alleged conspiracy with any of the Defendants in this case. Thereafter, at the government's behest and operating as the government's agent, Singer worked undercover for the government, attempting to gather inculpatory evidence to be used against the four defendants, and others.

The Defendants therefore move to exclude all evidence and argument concerning Singer's actions as a cooperator, including recorded conversations, e-mails, and cell phone messages. This evidence is irrelevant, and inadmissible against any of the four Defendants, as coconspirator statements, because the conspiracy ceased to exist. Fed. R. Evid. 401. Nor should the Court allow the government to parse out specific pieces of evidence against an individual defendant, with limiting instructions for the benefit of the other three defendants. Such a process would create substantial jury confusion and prejudice to all of the defendants. The Court should exclude such evidence since its purported probative value is outweighed by how this evidence would confuse the issues and mislead the jury. Fed R. Evid. 403.

Respectfully submitted,

John Wilson,

By his Counsel,

/s/ Michael Kendall

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Date: July 30, 2021

REQUEST FOR ORAL ARGUMENT

Pursuant to Local Rule 7.1(D), Defendants respectfully request oral argument on this motion.

/s/ Michael Kendall
Michael Kendall

CERTIFICATE OF COMPLIANCE WITH LOCAL RULES 7.1 AND 112.1

I hereby certify that, before filing this motion, defense counsel attempted in good faith to confer with the government to resolve or narrow the issues.

/s/ Michael Kendall
Michael Kendall

CERTIFICATE OF SERVICE

I hereby certify that the above document is being filed on the date appearing in the header through the ECF system, which will send true copies to the attorneys of record.

/s/ Michael Kendall
Michael Kendall